

**REMARKS/ARGUMENTS****I. General**

Claims 1-263, 265-273, and 291-295 are pending in the application and were rejected in the current Office Action (mailed July 19, 2005). The outstanding issues in the current Office Action are:

- Claims 1-263, 265-273, and 291-295 are rejected under 35 U.S.C. § 102(e) as being anticipated by Myrick et al (U.S. PG Pub No. 2004/0143470) (hereinafter "Myrick");

All remarks are made in a good faith effort to advance the prosecution on the merits.

In response, Applicant respectfully traverses the outstanding claim rejections, and requests reconsideration and withdrawal thereof in light of the remarks presented herein.

**II. Rejections under 35 U.S.C. § 102(e) over Myrick**

Claims 1-263, 265-273 and 291-295 are rejected under 35 U.S.C. § 102(e) as being anticipated by Myrick. Applicant respectfully traverses this rejection as provided further below.

It is well settled that to anticipate a claim, the reference must teach every element of the claim, *see* M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim," *see* M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim," *see* M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). Applicants respectfully assert that the rejection does not satisfy these requirements.

In the following, the Examiner's comments are included in bold, indented type, followed by the Applicant's remarks:

Claims 1-263, 265-273, and 291-295 are rejected under 35 U.S.C. 102(e) as being anticipated by Myrick.

4. As per claims 1 and 295, Myrick et al teach a system having a processor, memory operative with the processor, and storage media operative with the processor, the system further comprising: a business framework; a database framework operative with the business framework; and a client framework operative with the business framework; wherein the business framework, the database framework, and the client framework form an enterprise system framework (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*)

First, Applicants object to the voluminous citation of portions of Myrick, without any explanation of which portions of Myrick disclose which elements of the claims. "In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." 37 C.F.R. 1.104(c)(2). Below, Applicants have shown that the cited portions of Myrick do not disclose each element of the claim. Applicants respectfully request, however, that the Examiner specify which portion of Myrick shows each limitation of the claim.

Applicant respectfully disagrees and submits that Myrick fails to disclose each element of claims 1 and 295. Applicant disagrees that the cited portion of Myrick discusses "a system having a processor, memory operative with the processor, and storage media operative with the processor, the system further comprising: a business framework; **a database framework operative with the business framework**, and a client framework operative with the business framework," as required by claims 1 and 295. The specification discusses a Database Framework 122 that "may be composed of tables and/or views 404, and stored procedures 402" that operate in programs. Specification, paragraph 170. This is in contrast with all of the cited portions of Myrick.

The Examiner cites figures 9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanying paragraphs in Myrick as disclosing this limitation. Figure 9 discusses "a geo-structural view 900" that is "created from the logical business location map 802 to provide the template upon which to

construct the IT systems management.” Next, Figure 12A in Myrick discusses the client enterprise by modeling a manufacturing industry enterprise. Further, Figure 13A discusses a “customer process 1204 of FIGS 12A-12C . . . with inputs and outputs interacting with both internal and external processes.” Figure 30, additionally, discusses a “simplified logical software deployment 3000 for a mobile user 2810,” and figure 31A provides “an example of a technical infrastructure logical/physical view 3100.” Figures 42A-42B “graphically depict how a strategic IT planning approach is constructed from the strategic IT plan blueprint in conjunction with the previous description of the intent behind the IT planning strategy.” Finally, figure 43 “is a model that illustrates how the passing of selected components of the framework, based on blueprints and an approach created for a specific purpose, through work patterns results in architectures and plans (deliverables) consistent with the blueprint and approach.” None of the cited figures 9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanying paragraphs, however, disclose a “database framework operative with the business framework,” as required claims 1 and 295. Therefore, the cited portions of Myrick do not disclose all of the limitations of claims 1 and 295.

In addition, the Examiner cites paragraphs 4, 60, 61, 74-92, and 189-202 of Myrick as disclosing the above limitations. However, none of the cited paragraphs of Myrick disclose a “database framework operative with the business framework,” as required by claims 1 and 295. Paragraph 4 discusses that the present invention provides a method of modeling frameworks and architecture in support of a business that includes identifying manageable entities of the business. Additionally, paragraph 4 discusses that the enterprise architecture is represented by six components: strategic plan; business architecture; information architecture; application architecture; technology infrastructure architecture; and enterprise information technology management framework.

Further, paragraphs 60 and 61 in Myrick discuss how figure 2 “shows the range of business activities . . . to support the business processes.” The text next discusses each side of the figure and concludes that “[t]he Enterprise Strategic IT Planning Framework Tower model . . . [that] fills the gap between management consulting and the delivery of IT solutions.” Paragraph 61 continues discussing the particulars of figure 2, such as how in figure 2, the “planning continuum 1000 flows from management consulting 1002 through IT planning 1004 to delivery 1006.” Next, paragraph 61 discusses each of these phases. However, paragraphs 4, 60, and 61 do not disclose “a database framework that is operative with the business framework” as

specified in claims 1 and 295. Therefore, the Applicants respectfully assert that, for the above reasons, claims 1 and 295 are patentable over the Myrick.

In a paragraph that was not cited by the Examiner in Myrick, paragraph 63, the specification in Myrick specifically notes that "[a] strategic IT plan does not design systems, databases, or networks." Thus, paragraph 63 in Myrick teaches away from the claimed limitation of a database framework operative with the business framework as specified in claims 1 and 295.

The next section cited by the Examiner discusses the Enterprise Framework (paragraphs 74-92). Paragraphs 75 and 76 discuss the reasoning behind the Enterprise Framework and discuss the basic overview of the Enterprise Strategic IT Planning Framework Tower. By using the tower, the cited application discusses how "components and elements . . . help planning practitioners to effectively analyze and evaluate technology requirements, put them in the proper business context, and ensure that due consideration is given to all of the business and technology components." Myrick, paragraph 76. In particular, the enterprise architecture considers two types of architectures, "the business architecture 32 and the information technology architecture 34." Myrick, paragraph 78. The remaining sections (paragraphs 80-86) discuss a high level overview of the content of the fundamental components that compose the enterprise architecture which include: Strategic Plan(s) 41; Business Architecture 42; Information Architecture 44; Application Architecture 46; Technology Infrastructure Architecture 48; and Enterprise IT Management Architecture 49. The Enterprise Framework section concludes by discussing how the Myrick application uses the framework Tower, including these six components, to develop a "strategic IT plan [to] achieve the following IT planning objectives." Myrick, paragraph 92. Nonetheless, the cited section discussing the Enterprise Framework (paragraphs 74-92) does not mention a "database framework operative with the business framework" as required by claims 1 and 295. Therefore, the cited section of Myrick does not disclose all of the limitations of claims 1 and 295.

In addition, the Examiner has cited paragraphs 189-202 in Myrick as disclosing the claimed limitations in claims 1 and 295. Paragraph 189 discusses an enterprise frame and describes the functions of an enterprise frame. Further, paragraph 189 discusses the services performed by the enterprise frame and provides examples of such services, including settle payments process, legal action process, and strategic services process, among others. The

subsequent paragraphs, 190 and 191, discuss the "value streams within the enterprise [that] allow the enterprise to establish value-added services," and groups these value streams into categories. Paragraph 195, in addition, discusses how the "value streams identified in the enterprise business architecture [are] further decomposed into event, process, and environment architectures and workflow scenario models." The final paragraphs, 196-202, discuss examples of generic event models and various scenarios involving the use of value streams in the environment to fulfill specific processes. The section concludes in paragraph 202 by disclosing that "[f]rom these models, the basis for the application portfolios and information architectures are derived." In contrast, claims 1 and 295 disclose a database framework operative with the business framework. There is no suggestion in the disclosure of Myrick for providing a database framework operative with the business framework.

For at least these reasons, the Applicant asserts that the cited portions of Myrick do not disclose or suggest each of the limitations of claims 1 and 295 and respectfully requests that the rejection be withdrawn.

**5. As per claims 2-8, Myrick et al teach a system wherein the enterprise system framework includes one or more rapid development services that include one or more developer services to allow one or more developers to execute the enterprise system framework from a local computer system without configuring the enterprise system framework and security, to debug one or more stored procedures to develop the business framework to generate a business framework abstraction of the business framework (see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202).**

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the rapid development services as required in claims 2-8. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 2-8. Reconsideration and withdrawal of the rejection are respectfully requested.

**6. As per claims 9, 10, Myrick et al teach a system wherein the business framework abstraction allows the business framework to modify one or more business framework services that the business framework provides to one or more business objects, to modify a business framework methodology (see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202).**

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of rapid development services and

developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 9 and 10. Reconsideration and withdrawal of the rejection are respectfully requested.

7. As per claims 11-35, Myrick et al teach a system wherein a set of central services on the one or more business objects includes administrative services allow the business framework to track system usage provides a set of central services for one or more business objects includes transaction services provided by a COM+ transaction server and business framework include security services to control user access to the one or more business objects, security services to control user access to one or more external objects, one or more database one or more client objects and wherein the security services utilize one or more services provided by an external service provider, are abstracted from an external service provider's implementation wherein security services include automatic generation of special components that form walls around the one or more business objects to control access to the one or more business objects includes organizational services a compulsory belonging of business objects to one or more business groups identifying business objects as belonging to the client framework compulsory naming conventions for the one or more business objects protocol services enable a protocol to be abstracted from communication between the one or more business objects and the client framework, an external framework a database framework, one or more client objects to use different protocols based on a special group to which they belong (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of rapid development services and developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 11-35. Reconsideration and withdrawal of the rejection are respectfully requested.

8. As per claims 36-39, Myrick et al teach a system wherein the one or more business objects are distributed on more than one server, more then one client, database external object (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of rapid development services and developer services,

etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 36-39. Reconsideration and withdrawal of the rejection are respectfully requested.

9. As per claims 40-48, Myrick et al teach a system wherein the set of central services includes adapter services allow the one or more business objects to invoke other computer systems include computer systems implementing the database framework, include computer systems implementing an external framework (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 40-48. Reconsideration and withdrawal of the rejection are respectfully requested.

10. As per claims 49-54, Myrick et al teach a system wherein the set of central services on the business objects includes error-handling services support a capture of one or more operating system exceptions a capture of one or more COM errors, include logging errors in an event viewer when errors are captured logging errors in an event viewer when errors are detected generating at least one call stack (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 49-54. Reconsideration and withdrawal of the rejection are respectfully requested.

11. As per claims 55-63, Myrick et al teach a system wherein the set of central services includes layering services include a client framework layer an external framework layer a reporting system layer a client framework layer, an external framework layer, and a reporting system layer, enables the client framework and the business framework in an optimized manner includes having the client framework and the business framework interact with a minimum of round-trips in an abstracted fashion (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 55-63. Reconsideration and withdrawal of the rejection are respectfully requested.

**12. As per claims 64-72, Myrick et al teach a system wherein the set of central services on business objects includes life-cycle services include notifying the one or more business objects before and after the business objects are created, updated, deleted fetched (see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202).**

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 64-72. Reconsideration and withdrawal of the rejection are respectfully requested.

**13. As per claims 72-84, Myrick et al teach a system wherein the set of central services includes rapid development services allow the one or more business objects that are/are not tied to a database to be generated automatically consist of a layer of non-generated code and a layer of generated-if-not-existing code provides generic services for the business object to make copies of themselves automatically guarantees that the layer of generated code implements one or more certain services contains services to assist the layer of generated code and the layer of generated-if-not-existing code are created by a third-party tool is overwritten by a developer (see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202).**

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 72-84. Reconsideration and withdrawal of the rejection are respectfully requested.

**14. As per claims 85-97, Myrick et al teach a system wherein the state/stateless objects can encapsulate one row of a database table such that encapsulation is done within the layer of generated code for the state object can automatically contain one or more get member**



functions where the member functions match a database schema where the member functions match a database schema, wherein the member variables are objects when a corresponding database type is a calendar generated code can contain status flags wherein the collection of state objects encapsulate zero or more state objects compile-time bound to a corresponding state object is implemented using a container algorithm is abstracted into a separate object (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 85-97. Reconsideration and withdrawal of the rejection are respectfully requested.

15. As per claims 98-110, Myrick et al teach a system wherein the services allow run-time binding of business objects to inherit from each other convert automatically from one business object to another, enable automatic replay of deadlock database errors when detected to keep copies, optionally and automatically, of their old state includes messaging services to send messages to other users include message queue services enable asynchronous method invocation between business objects to be invoked immediately and in the event of a failure available even when an application is not configured in a transaction server (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 98-110. Reconsideration and withdrawal of the rejection are respectfully requested.

16. As per claims 111-120, Myrick et al teach a system wherein the set of central services for the business objects include asynchronous services include an ability for business objects to invoke each other in an asynchronous manner do not preclude the ability for one or more business objects to invoke each other in a synchronous manner are available if an application is not configured in a transaction server are optimized for high-performance communication includes scheduling services allow business objects to be invoked once at a given date and time includes reporting services allow integration with an external report application provide rapid development for reports include an external report application having binding functions in state objects (*see abstract figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 111-120. Reconsideration and withdrawal of the rejection are respectfully requested.

**17. As per claims 121-129, Myrick et al teach a system wherein the database framework consists of one or more stored procedures, one or more user-defined types, one or more tables, and one or more views in a relational database all access to the database framework is through the stored procedures, the user-defined types, tables, and views all follow one or more naming conventions allow a third-party tool to identify all insert stored procedures, all update stored procedures, all delete stored procedures, and all query stored procedures that correspond to each table and to each view in the database allows a third-party tool to generate automatically all insert stored procedures, update stored procedures, and all delete stored procedures that correspond to all tables and views wherein the generation allows the stored procedures to support simultaneous access by multiple users keeping history automatically more services rapidly wherein the user-defined types enables one or more database columns to identify themselves as components within a unit system (see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202).**

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 121-129. Reconsideration and withdrawal of the rejection are respectfully requested.

**18. As per claims 130-156, Myrick et al teach a system wherein the client framework provides rapid development services for the client framework enable the client framework to change one or more central services for one or more client forms and one or more client dialogs en masse a set of central services for client forms, client dialogs, and HTML pages includes abstraction services to abstract client forms and client dialogs from a web browser that hosts the client forms and the client dialogs providing life-cycle services notifying/allowing the client forms and the client dialogs to initialize/override the client forms and the client dialogs and further notifying the client forms and the client dialogs when a command such and get, save, refresh, delete command is invoked wherein the set of central services include performance services include caching services caching services include routing all outbound calls through a cache so that an outbound call need not be made if one or more results are already in the cache written in C++ wherein the performance services include asynchronous services include services which enable one or more client objects to invoke one or more server objects in an asynchronous manner downloading services enable the downloading of the client forms and other objects as a background process making the client forms, the client dialogs and the client framework**

lightweight include using the business objects natively (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 130-156. Reconsideration and withdrawal of the rejection are respectfully requested.

19. As per claims 157-167, Myrick et al teach a system wherein the central services include persistence services allow HTML page state to be preserved rapid development services include automatic updating of a status flag of the one or more business objects property services enable one or more controls on HTML pages to exhibit behavior based on properties defined for the control allows the client forms and the client dialogs to invoke business objects without coding includes loading one or more controls from specific business object data, taking action on a control selection, taking action when a get, a save, a delete, a refresh, and a history command is invoked wherein the rapid development services, the client forms and the client dialogs are written in Visual Basic include integration with a deployment apparatus to discover all binaries needing to be installed on a client machine (*see abstract, figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 157-167. Reconsideration and withdrawal of the rejection are respectfully requested.

20. As per claims 168-178, Myrick et al teach a system wherein an external framework operates within an enterprise application interface provides a set of central services includes protocol services include a protocol framework for incorporating new protocols into the system wherein the set of central services includes communication services include synchronous invocation services wherein the synchronous invocation services allow synchronous method invocation between objects within the external framework and one or more external clients wherein the communication services include subscribe/publish invocation services include subscribe invocation services allow external framework objects to publish events asynchronously (*see abstract figs -9, 12A, 13A, 30, 31A, 31B, 42A, 42B, 43 and accompanied paragraphs, in addition see paragraphs 0004, 0060, 0061, 0074-0092, 0189-0202*).

Again, Applicants have reviewed the cited portions of Myrick, and that application simply does not contain the description of databases, rapid development services, and/or developer services, etc. as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 168-178. Reconsideration and withdrawal of the rejection are respectfully requested.

**21. As per claims 179-263, 265-273 and 291-294, they are dependent of claims 1 and disclose inventive concept that are already rejected in claims 1-78. Therefore they are rejected under the same rationale.**

Applicant's arguments regarding claims 1-178 are equally applicable, and are herein made with the previous force and effect to traverse the rejection of claims 179-263, 265-273 and 291-294. It is respectfully submitted that the Myrick reference does not describe or reference databases, rapid development services, and/or developer services, as required in the independent and one or more intermediate claims. Consequently, Applicants respectfully submit that Myrick does not anticipate all of the elements of claims 179-263, 265-273 and 291-294. Reconsideration and withdrawal of the rejection are respectfully requested.

All remarks are made in a good faith effort to advance the prosecution on the merits. Applicant reserves the right to subsequently take up prosecution on the claims as originally filed in this or appropriate continuation, continuation-in-part, and/or divisional applications.

Applicant respectfully requests that the remarks submitted herein be entered, and further request reconsideration in light of the remarks contained herein. Applicant respectfully requests withdrawal of the rejections, and that there be an early notice of allowance.

**SUMMARY**

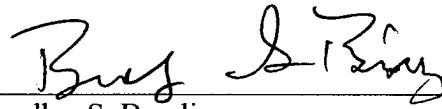
In light of the above remarks, reconsideration and withdrawal of the outstanding restriction requirement are respectfully requested. It is further submitted that the application is now in condition for allowance and early notice of the same is earnestly solicited. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail, as below.

Applicant believes that no fee is due for the claims in association with the filing of this Response. However, should the Commissioner deem that any fee is due, including any fees for any extensions of time, Applicant respectfully requests that the Commissioner accept this response as a Petition therefore, and directs that any fees be charged to Baker Botts L.L.P.

**Deposit Account Number 02-0383, Order Number 065734.0139.**

Respectfully Submitted,

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